

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LARRY SMITH,

Plaintiff,

v.

Case Number 21-12070

Honorable David M. Lawson

COUNTY OF WAYNE, ROBERT J.
DONALDSON, MONICA CHILDS, GENE
KARVONEN, ROGER MUELLER, WALTER
LOVE, KEITH CHISHOLM, and JOHN
DEMBINSKI,

Defendants.

**ORDER GRANTING MOTION TO EXTEND TIME TO
SERVE SUMMONS AND COMPLAINT**

This matter is before the Court on the plaintiff's motion to extend the time for serving the summons and complaint. The complaint was filed on September 3, 2021, and summonses were issued on September 7, 2021. Certificates of service have been filed evidencing service on most of the defendants, but plaintiff's counsel represents that service has not been completed on two individuals due to apparent attempts to evade service and the possible death of one person. The motion recites numerous failed attempts at service on those two defendants.

Generally, a plaintiff must serve each defendant with a copy of the summons and complaint within 90 days after filing the complaint. Fed. R. Civ. P. 4(m). The deadline, however, must be extended "for an appropriate period" if "the plaintiff shows good cause for the failure." *Ibid*. The Court finds that sufficient information has been presented to suggest that service has been delayed despite the plaintiff's diligent efforts, and the plaintiff has shown good cause for the failure to complete service within the usual time allowed. The Court therefore will grant the motion to extend the time for service.

Accordingly, it is **ORDERED** that the plaintiff's motion to extend the time for service (ECF No. 10) is **GRANTED**, and service of the summons and complaint must be completed **on or before January 31, 2022**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: December 2, 2021